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FEDERAL ELECTION  
COMMISSION

2011 MAY 26 PM 4: 47

**CELA**

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 )  
Friends of Christine O'Donnell and ) MUR 6371  
Matthew J. Moran, in his official capacity )  
as treasurer; Christine O'Donnell; Our )  
Country Deserves Better PAC - )  
TeaPartyExpress.org and Betty Presley, )  
in her official capacity as treasurer )

**CERTIFICATION**

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on May 24, 2011, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to take the following actions in MUR 6371:
  - a. Find reason to believe that Our Country Deserves Better PAC - TeaPartyExpress.org and Betty Presley, in her official capacity as treasurer, violated 2 U.S.C. §§ 441a(a)(2) and 434(b) by making and failing to disclose excessive in-kind contributions in the form of coordinated expenditures.
  - b. Find reason to believe that Christine O'Donnell violated 2 U.S.C. § 441a(f) by accepting excessive in-kind contributions in the form of coordinated expenditures.
  - c. Find reason to believe that Friends of Christine O'Donnell and Matthew J. Moran, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f) by accepting and failing to disclose in-kind contributions in the form of coordinated expenditures.

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- d. Find no reason to believe that Our Country Deserves Better PAC - TeaPartyExpress.org and Betty Presley, in her official capacity as treasurer, violated 2 U.S.C. §§ 434(b), 441a(a)(2) or 441a(a)(8) by failing to report earmarked contributions and by making excessive contributions as a result of exercising direction or control over earmarked contributions.
  - e. Find no reason to believe that Christine O'Donnell violated 2 U.S.C. §§ 441a(f) by accepting excessive in-kind contributions in the form of earmarked contributions.
  - f. Find no reason to believe that Friends of Christine O'Donnell and Matthew J. Moran, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) or 434(b) by accepting or failing to disclose excessive in-kind contributions in the form of earmarked contributions.
  - g. Authorize the use of compulsory process.
  - h. Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated March 25, 2011.
  - i. Approve the appropriate letters.

Commissioners Bauerly, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

2. Decided by a vote of 6-0 to take the following action in MUR 6371:

- a. Close the file.

Commissioners Bausrly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

May 26, 2011  
Date

Shelley E. Garr  
Shelley E. Garr  
Deputy Secretary of the Commission